

ASSEMBLY BILL NO. 564—ASSEMBLYMEN THOMAS, GIUNCHIGLIANI, EVANS, DE BRAGA, GOLDWATER, BUCKLEY, CHOWNING, MORTENSON, CLABORN, MCCLAIN, KOIVISTO, PARNELL, FREEMAN, BACHE, ANDERSON, COLLINS, MANENDO, OHRENSCHALL, PRICE, NEIGHBORS, BERMAN, LEE, CARPENTER, SEGERBLOM, BEERS, LESLIE, HUMKE AND PERKINS

MARCH 15, 1999

Referred to Committee on Natural Resources, Agriculture and Mining

SUMMARY—Broadens applicability of provisions relating to availability of programs for recycling or disposal of solid waste. (BDR 40-1341)

FISCAL NOTE: Effect on Local Government: Yes.
Effect on the State or on Industrial Insurance: Yes.

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EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~[omitted material]~~ is material to be omitted.

AN ACT relating to programs for recycling; broadening the applicability of provisions regarding the availability of programs for recycling; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE
AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 **Section 1.** NRS 444A.020 is hereby amended to read as follows:
2 444A.020 1. The state environmental commission shall adopt
3 regulations establishing minimum standards for:
4 (a) Separating at the source recyclable material from other solid waste
5 originating from residential premises ***and public buildings*** where services
6 for the collection of solid waste are provided.
7 (b) Establishing recycling centers for the collection and disposal of
8 recyclable material.
9 (c) The disposal of hazardous household products which are capable of
10 causing harmful physical effects if inhaled, absorbed or ingested.
11 2. The regulations adopted pursuant to subsection 1 must be adopted
12 with the goal of recycling at least ~~25~~ **33** percent of the total solid waste
13 generated within a municipality after the second full year following the
14 adoption of such standards.

1 3. The state environmental commission shall, by regulation, establish
2 acceptable methods for disposing of used or waste tires.

3 **Sec. 2.** NRS 444A.030 is hereby amended to read as follows:

4 444A.030 1. The division of environmental protection of the state
5 department of conservation and natural resources shall, by regulation,
6 adopt a model plan for:

7 (a) Separating at the source recyclable material from other solid waste
8 originating from residential premises *and public buildings* where services
9 for the collection of solid waste are provided.

10 (b) Establishing recycling centers for the collection and disposal of
11 recyclable material in areas where there are no centers.

12 (c) The disposal of hazardous household products which are capable of
13 causing harmful physical effects if inhaled, absorbed or ingested.

14 (d) The disposal of infectious waste, hazardous waste which is not
15 regulated pursuant to NRS 459.485 and liquid waste which is not regulated
16 pursuant to NRS 445A.300 to 445A.730, inclusive.

17 2. The model plans adopted pursuant to subsection 1 must not conflict
18 with the standards adopted by the state environmental commission
19 pursuant to NRS 444A.020.

20 **Sec. 3.** NRS 444A.040 is hereby amended to read as follows:

21 444A.040 1. The board of county commissioners in a county whose
22 population is more than 100,000, or its designee, shall make available for
23 use in that county a program for:

24 (a) The separation at the source of recyclable material from other solid
25 waste originating from the residential premises *and public buildings* where
26 services for the collection of solid waste are provided.

27 (b) The establishment of recycling centers for the collection and
28 disposal of recyclable material where existing recycling centers do not
29 carry out the purposes of the program.

30 (c) The disposal of hazardous household products which are capable of
31 causing harmful physical effects if inhaled, absorbed or ingested. This
32 program may be included as a part of any other program made available
33 pursuant to this subsection.

34 2. The board of county commissioners of a county whose population is
35 more than 25,000 but not more than 100,000, or its designee:

36 (a) May make available for use in that county a program for the
37 separation at the source of recyclable material from other solid waste
38 originating from the residential premises *and public buildings* where
39 services for the collection of solid waste are provided.

40 (b) Shall make available for use in that county a program for:

41 (1) The establishment of recycling centers for the collection and
42 disposal of recyclable material where existing recycling centers do not

1 carry out the purposes of the program established pursuant to paragraph
2 (a).

3 (2) The disposal of hazardous household products which are capable
4 of causing harmful physical effects if inhaled, absorbed or ingested. This
5 program may be included as a part of any other program made available
6 pursuant to this subsection.

7 3. The board of county commissioners of a county whose population is
8 not more than 25,000, or its designee, may make available for use in that
9 county a program for:

10 (a) The separation at the source of recyclable material from other solid
11 waste originating from the residential premises **and public buildings** where
12 services for the collection of solid waste are provided.

13 (b) The establishment of recycling centers for the collection and
14 disposal of recyclable material where existing recycling centers do not
15 carry out the purposes of the program.

16 (c) The disposal of hazardous household products which are capable of
17 causing harmful physical effects if inhaled, absorbed or ingested. This
18 program may be included as a part of any other program made available
19 pursuant to this subsection.

20 4. Any program made available pursuant to this section:

21 (a) Must not:

22 (1) Conflict with the standards adopted by the state environmental
23 commission pursuant to NRS 444A.020; and

24 (2) Become effective until approved by the department.

25 (b) May be based on the model plans adopted pursuant to NRS
26 444A.030.

27 5. The governing body of a municipality may adopt and carry out
28 within the municipality such programs made available pursuant to this
29 section as are deemed necessary and appropriate for that municipality.

30 6. Any municipality may, with the approval of the governing body of
31 an adjoining municipality, participate in any program adopted by the
32 adjoining municipality pursuant to subsection 5.

33 7. Persons residing on an Indian reservation or Indian colony may
34 participate in any program adopted pursuant to subsection 5 by a
35 municipality in which the reservation or colony is located if the governing
36 body of the reservation or colony adopts an ordinance requesting such
37 participation. Upon receipt of such a request, the governing body of the
38 municipality shall make available to the residents of the reservation or
39 colony those programs requested.

40 **Sec. 4.** NRS 444A.050 is hereby amended to read as follows:

41 444A.050 1. A county or health district that adopts a program
42 pursuant to NRS 444A.040

shall:

1 (a) On or before July 1 of each year, submit a report to the department
2 of the number of tons of material disposed of in the area covered by the
3 program.

4 (b) Within 6 months after adopting the program, and at least once every
5 6 months thereafter, notify all persons occupying residential, commercial,
6 **governmental** and institutional premises within the area covered by the
7 program of the local recycling opportunities and the need to reduce the
8 amount of waste generated.

9 2. The governing body of a municipality that adopts a program
10 pursuant to NRS 444A.040 shall:

11 (a) Adopt such ordinances as are necessary for the enforcement of the
12 program.

13 (b) At least once every 36 months, conduct a review of the program and
14 make such revisions to the program and any ordinances adopted pursuant
15 thereto as are deemed necessary and appropriate.

16 **Sec. 5.** NRS 444A.110 is hereby amended to read as follows:

17 444A.110 1. The division of environmental protection of the state
18 department of conservation and natural resources shall develop a program
19 of public education to provide information, increase public awareness of
20 the individual responsibility of properly disposing of solid waste and
21 encouraging public participation in recycling, reuse and waste reduction.
22 The program must be designed in accordance with the plans to provide for
23 a solid waste management system approved pursuant to NRS 444.510 to
24 communicate the importance of conserving natural resources, in addition
25 to the importance of protecting public health and the environment. The
26 program must include promotion of the private and public efforts to
27 accomplish conservation, recovery and reuse.

28 2. The division of environmental protection of the state department of
29 conservation and natural resources shall encourage the reduction of waste
30 and litter by:

31 (a) Providing, upon request, advice to persons regarding techniques to
32 reduce waste and general information on recycling.

33 (b) Establishing a computer data base to process related information.

34 (c) Establishing a toll-free telephone line to assist in the dissemination
35 of information.

36 (d) Sponsoring or cosponsoring technical workshops and seminars on
37 waste reduction.

38 (e) Assisting local programs for the research and development of plans
39 to reduce waste.

40 (f) Coordinating the dissemination of publications on waste reduction,
41 regardless of the source of those publications.

1 (g) Assisting in the development and promotion of programs of
2 continuing education for educators and administrators to enable them to
3 teach and encourage methods of waste reduction.

4 (h) Developing an emblem to signify and advertise the efforts in
5 Nevada to encourage recycling.

6 (i) Recommending to educational institutions courses and curricula
7 relating to recycling and the reduction of waste.

8 *(j) Assisting state agencies, upon request, to develop and carry out*
9 *programs for recycling within state buildings.*

10 3. The division of environmental protection of the state department of
11 conservation and natural resources shall coordinate the technical assistance
12 available from the various state agencies. The administrator of that division
13 shall prepare and deliver biennial reports to the governor regarding the
14 progress of the program.

15 **Sec. 6.** NRS 1.115 is hereby amended to read as follows:

16 1.115 1. Except as otherwise provided in this section, each court of
17 justice for this state shall recycle or cause to be recycled the paper and
18 paper products it uses. This subsection does not apply to confidential
19 documents if there is an additional cost for recycling those documents.

20 2. A court of justice may apply for a waiver from the requirements of
21 subsection 1. For such a waiver, the supreme court must apply to the
22 interim finance committee, a district court or a justice's court must apply to
23 the board of county commissioners of the county in which it is located and
24 a municipal court must apply to the governing body of the city in which it
25 is located. A waiver must be granted if it is determined that the cost to
26 recycle or cause to be recycled the paper and paper products used by the
27 court is unreasonable and would place an undue burden on the operations
28 of the court.

29 3. The court administrator shall, after consulting with the state
30 department of conservation and natural resources, prescribe the procedure
31 for the disposition of the paper and paper products to be recycled. *The*
32 *court administrator may prescribe a procedure for the recycling of other*
33 *waste materials produced on the premises of the court building.*

34 4. Any money received by a court of justice for recycling or causing to
35 be recycled the paper and paper products it uses must be paid by the clerk
36 of that court to the state treasurer for credit to the state general fund.

37 5. As used in this section:

38 (a) "Paper" includes newspaper, high-grade office paper, fine paper,
39 bond paper, offset paper, xerographic paper, mimeo paper, duplicator
40 paper and any other cellulosic material which contains not more than 10
41 percent by weight or volume of a noncellulosic material, including, but not
42 limited to, a laminate, binder, coating and saturant.

1 (b) “Paper product” means any paper article or commodity, including,
2 but not limited to, paper napkins, towels, cardboard, construction material,
3 paper and any other cellulosic material which contains not more than 10
4 percent by weight or volume of a noncellulosic material, including, but not
5 limited to, a laminate, binder, coating and saturant.

Sec. 7. NRS 218.655 is hereby amended to read as follows:

218.655 1. Except as otherwise provided in this section, the legislative counsel bureau shall recycle or cause to be recycled the paper and paper products it uses. This subsection does not apply to confidential documents if there is an additional cost for recycling those documents.

2. The director of the legislative counsel bureau may apply to the legislative commission for a waiver from the requirements of subsection 1. The legislative commission shall grant a waiver if it determines that the cost to recycle or cause to be recycled the paper and paper products used by the bureau is unreasonable and would place an undue burden on the operations of the bureau.

3. The legislative commission shall, after consulting with the state department of conservation and natural resources, adopt regulations which prescribe the procedure for the disposition of the paper and paper products to be recycled. *The legislative commission may prescribe a procedure for the recycling of other waste materials produced on the premises of the legislative building.*

4. Any money received by the legislative counsel bureau for recycling or causing to be recycled the paper and paper products it uses must be paid by the director of the legislative counsel bureau to the state treasurer for credit to the state general fund.

5. As used in this section:

(a) "Paper" includes newspaper, high-grade office paper, fine paper, bond paper, offset paper, xerographic paper, mimeo paper, duplicator paper and any other cellulosic material which contains not more than 10 percent by weight or volume of a noncellulosic material, including, but not limited to, a laminate, binder, coating and saturant.

(b) "Paper product" means any paper article or commodity, including, but not limited to, paper napkins, towels, cardboard, construction material, paper and any other cellulosic material which contains not more than 10 percent by weight or volume of a noncellulosic material, including, but not limited to, a laminate, binder, coating and saturant.

Sec. 8. NRS 232.007 is hereby amended to read as follows:

232.007 1. Except as otherwise provided in this section, each state agency shall recycle or cause to be recycled the paper and paper products it uses. This subsection does not apply to confidential documents if there is an additional cost for recycling those documents.

2. A state agency may apply to the chief of the budget division of the department of administration for a waiver from the requirements of subsection 1. The chief shall grant a waiver to the state agency if he determines that the cost to recycle or cause to be recycled the paper and paper products used by the agency is unreasonable and would place an undue burden on the operations of the agency.

1 3. The state environmental commission shall, through the state
2 department of conservation and natural resources, adopt regulations which
3 prescribe the procedure for the disposition of the paper and paper products
4 to be recycled. In adopting such regulations, the commission ~~{shall}~~ :

5 *(a) Shall* consult with any other state agencies which are coordinating
6 or have coordinated programs for recycling paper and paper products.

7 *(b) May prescribe a procedure for the recycling of other waste*
8 *materials produced by state agencies.*

9 4. Any money received by a state agency for recycling or causing to
10 be recycled the paper and paper products it uses must be paid by the chief
11 administrative officer of that agency to the state treasurer for credit to the
12 state general fund.

13 5. As used in this section:

14 (a) "Paper" includes newspaper, high-grade office paper, fine paper,
15 bond paper, offset paper, xerographic paper, mimeo paper, duplicator
16 paper and any other cellulosic material which contains not more than 10
17 percent by weight or volume of a noncellulosic material, including, but not
18 limited to, a laminate, binder, coating and saturant.

19 (b) "Paper product" means any paper article or commodity, including,
20 but not limited to, paper napkins, towels, cardboard, construction material,
21 paper and any other cellulosic material which contains not more than 10
22 percent by weight or volume of a noncellulosic material, including, but not
23 limited to, a laminate, binder, coating and saturant.

24 (c) "State agency" means every public agency, bureau, board,
25 commission, department, division, officer or employee of the executive
26 department of state government.